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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

HOUN SIMON HSIA et al.

Serial No.: 10/714,127

Filed: November 13, 2003

**For: COMPOSITION AND METHOD
FOR TREATING NONALCOHOLIC
STEATOHEPATITIS**

)
) **Group Art Unit:** 1615

)
) **Examiner:** Gallamudi S. Kishore,
) Ph.D.

TERMINAL DISCLAIMER

MAIL STOP PATENT AMENDMENT FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 223123-1450

Sir:

I, Kurt T. Mulville, represent that I am an attorney of record for the above-identified application. The above-identified invention has been assigned to VIVA AMERICA MARKETING, INC. VIVA AMERICA MARKETING, INC. is the owner of 100% interest in the above-identified invention. VIVA AMERICA MARKETING, INC. is owner of 100% interest in United States Patent No. 6,180,139, issued January 30, 2001.

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CERTIFICATE OF MAILING (37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the MAIL STOP AMENDMENT FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: July 27, 2005

Lynne Fulmer

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Assignee hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the statutory expiration date of United States Patent No. 6,180,139, issued January 30, 2001.

Moreover, assignee hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,180,139, issued January 30, 2001, this agreement to run with any patent granted on the above-identified application and to be binding upon assignee, successors, or assigns.

Assignee does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of United States Patent No. 6,180,139, issued January 30, 2001 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.312(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is authorized to charge Orrick Herrington & Sutcliffe LLP's Deposit Account No. **150665** for the Terminal Disclaimer fee of \$65.00 or for any fees required that are not covered, in whole or in part, and to credit any overpayments to said Deposit Account No. **150665**.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: July 27, 2005

By: 

Kurt T. Mulville, Reg. No. 37,194

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